

UTAH APPRAISER LICENSING AND CERTIFICATION BOARD

Heber M. Wells Building

Room 210

9:00 a.m.

November 25, 2015

Telephone Meeting

MINUTES

DIVISION STAFF PRESENT:

Jonathan Stewart, Division Director

Mark Fagergren, Education and Licensing Director

Jeffery Nielsen, Chief Investigator

Justin Barney, Hearing Officer

Amber Nielsen, Acting Board Secretary

Judith Jensen, Assistant Attorney General

Kendelle Christiansen, Appraisal Licensing and Education

BOARD MEMBERS PRESENT:

John E. Ulibarri, Chair

Kristin Coleman-Nicholl, Vice Chair

Daniel Brammer, Board Member

Paul W. Throndsen, Board Member

Jim Bringham, Board Member

PUBLIC PRESENT:

Jake Parkinson

The November 25, 2015 meeting of the Appraiser Licensing and Certification Board began at 9:03 a.m. with Chair Ulibarri conducting.

PLANNING AND ADMINISTRATIVE MATTERS

Approval of Minutes –A motion was made and seconded to approve the minutes from the October 28, 2015 meeting as written. Vote: Chair Ulibarri, yes; Vice Chair Coleman-Nicholl, yes; Board Member Brammer, yes; Board Member Throndsen, yes; Board Member Bringham, yes. The motion carries.

Public Comment Period – There was no public comment

DIVISION REPORT

DIRECTOR'S REPORT – Jonathan Stewart

Director Stewart reported on the Draft Bill for the 2016 legislative session. Director Stewart presented the changes regarding property tax appeal assistance. The proposed changes were discussed and clarified. Director Stewart believes clarification can be

added under the section for consultation services and advocating. The contingent fees were discussed.

Director Stewart presented the changes regarding citation authority. The proposed changes were outlined. Director Stewart presented all cases where a citation may be issued.

Director Stewart presented the changes regarding Appraisal Management Companies and panels. The proposed changes were discussed.

Director Stewart presented the changes regarding customary and reasonable compensation. Vice Chair Coleman-Nicholl proposed verbiage change to clean up and clarify the proposal.

Director Stewart presented the changes regarding an appraiser being penalized by an appraisal management company requesting a reasonable extension of time to complete an appraisal. The proposed changes were discussed. Vice Chair Coleman-Nicholl asked for clarification on the term reasonable in the proposal.

Director Stewart presented the changes regarding allowing the Division authority to pursue a subpoena in district court.

Director Stewart presented the changes regarding explicitly granting the Division jurisdiction over actions performed by a licensee while they were licensed who has subsequently allowed their license to expire.

ENFORCEMENT REPORT – Jeffery Nielsen

Mr. Nielsen reported in October the Division received 3 complaints; opened 0 new cases; close 5 case; leaving 33 appraisal cases open with the Division. There are a total of 18 cases are now with the AG's office.

Mr. Nielsen reported the interview process for the Appraiser Investigator position is underway. Mr. Nielsen hopes to have the position filled by the time the next meeting is held.

There are no stipulations for review this month.

EDUCATION AND LICENSING REPORT – Mark Fagergren

Mr. Fagergren submitted the following lists to the Board for their review:

Certified and Licensed Appraiser Applicants Approved the Education Review Committee and Denied by the Experience Review Committee:
Kevin Brad Miles, LA Candidate

Disciplinary List

Taylor Prowell, Appraiser Trainee Applicant

COMMISSION AND INDUSTRY ISSUES

Rule Updates – Justin Barney

Mr. Barney reported there are no rule updates pending at this time.

Mr. Barney reported the Division is making progress in filling the Board Secretary position.

A motion was made to close the meeting for the sole purpose of discussing the character, professional competence or physical or mental health of an individual. Vote: Vice Chair Coleman-Nicholl, yes; Board Member Brammer, yes; Board Member Throndsen, yes; Board Member Bringhurst, yes. The motion passes.

CLOSED TO PUBLIC

An Executive Session was held from approximately 10:15 a.m. to 10:29 a.m.

OPEN TO PUBLIC

RESULTS OF DELIBERATIONS

Certified and Licensed Appraiser Applicants Approved the Education Review Committee and Denied by the Experience Review Committee:
Kevin Brad Miles, LA Candidate - Denied

Disciplinary List

Taylor Prowell, Appraiser Trainee Applicant - Approved

A motion was made to adjourn the meeting. Vote: Vice Chair Coleman-Nicholl, yes; Board Member Brammer, yes; Board Member Throndsen, yes; Board Member Bringhurst, yes. The motion passes. The meeting adjourned at approximately 10:30 a.m.